

**United States Department of the Interior  
Bureau of Land Management**

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**DECISION RECORD  
Categorical Exclusion Not Established By Statute  
DOI-BLM-UT-G020-2018-0040-CX**

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**June 2018**

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**Range Creek Herd Management Area  
Private Lands Wild Horse Gather 2018**

*Location:*

Private Lands Adjacent to the Range Creek Herd Management Area, Utah

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Price Field Office  
125 S. 600 W.  
Price, Utah 84501  
435-636-3600



**DECISION RECORD**  
**Private Lands Gather 2018**  
**DOI-BLM-UT-G020-2018-0040-CX**

**Introduction**

The Bureau of Land Management (BLM) Utah State Office in Salt Lake City has received numerous written wild horse removal request letters since 2016 for the Range Creek Herd in the located within the BLM Price Field Office. These letters have come from both the private land owner and the Utah Department of Natural Resources. Mitigation efforts over the past three years have been attempted by maintenance of fences and control of water resources, but to no avail. Furthermore, the minimal snowpack of the 2017-2018 winter season and prolonged drought conditions have allowed wild horses to stay at higher elevations, adding impacts to the available forage and water resources on private lands. Also, it is estimated that the current population of the Range Creek Herd is 378 head of horses, but the Appropriate Management Level (AML) for this herd is between 75 and 125 head of horses.

**Proposed Action**

To address these concerns, it is proposed that the BLM Price Field Office gather and remove up to 150 horses from private lands adjacent to and within the Range Creek Herd Management Area, utilizing necessary approved capture methods.

**Decision**

Based on my review of the categorical exclusion (CX) documentation and consulting with the BLM Price Field Office interdisciplinary team of resource specialists, it is my final decision to authorize a gather and permanent removal of excess wild horses on private land near the Range Creek Herd Management Area (HMA) as described in the attached CX documentation.

**Rationale for Decision**

The BLM is charged with the enhancement and maintenance of healthy rangelands in order to provide a “thriving natural ecological balance” for all species residing on the range. Excess wild horses from the Range Creek HMA are negatively affecting rangeland resources on private lands. The proposed action benefits the resources and helps restore the range to a thriving natural ecological balance. Furthermore, according to 43 CFR 4720.2, upon written request from a private landowner, the authorized officer shall remove stray wild horses and burros from private lands as soon as practicable.

This decision is contingent on meeting all standard operating procedures and special stipulations included in Appendix 1 of DOI-BLM-UT-G020-2018-0040-CX.

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, D. Rangeland Management

(2) Placement and use of temporary (not to exceed one month) portable corrals and water troughs, providing no new road construction is needed.

- (4) Removal of wild horses or burros from private lands at the request of the landowner.
- (5) Processing (transporting, sorting, providing veterinary care, vaccinating, testing for communicable disease, training, gelding, marketing, maintaining, feeding and trimming of hooves) of excess wild horses and burros; and
- (6) Approval of the adoption of healthy, excess wild horses and burros.

These categorical exclusions are appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR Part 46.215 apply.

### **Authorities**

The authority for the reduction of wild horse populations is contained in the Wild Horse and Burro Act of 1971 (Public Law 92-195) Section 3(a) and (b), and Title 43 of the Code of Federal Regulations 4720.2.

### **Plan Conformance and Consistency**

The proposed action is in conformance with the PFO RMP because it is specifically provided for in the following PFO RMP goals, objectives, and management decisions:

“Manage wild horses and burros at appropriate management levels (AML) to ensure a thriving natural ecological balance among wild horse populations, wildlife, livestock, vegetation resources, and other resource values” (Page 86).

“Maintain the number of wild horses and burros within established HMAs at AMLs as designated in Herd Management Plans” (Page 86).

“WHB-1: Manage populations...to maintain AMLs on established HMAs” (Page 86).

“WHB-8: Range Creek HMA; 55,000 acres; 75-125 (horses)” (Page 87).

### **Protest/Appeal**

This decision is issued in accordance with 43 CFR 4770.3(c) which mandates in part: “decisions to remove...shall be effective upon issuance or on the date established in the decision.” This decision is subject to appeal. If you wish to appeal this decision, as provided for in 43 CFR 4770.3 and 43 CFR 4, you must file an appeal in writing within 30 days of this decision with the Price Field Office, 125 S. 600 W., Price, Utah 84501. The appeal shall state clearly and concisely why you believe the decision is in error.

There shall be no delay period for the proposed action. Any request for a stay of the action, if filed, must comply with 43 CFR 4.21 (b) and must show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted; and
4. Whether the public interest favors granting the stay.

/s/ Chris Conrad

6/13/2018

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Chris Conrad  
Price Field Office Manager

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Date